



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

ROLLINSFORD POLICE ASSOCIATION :

Petitioner :

and :

TOWN OF ROLLINSFORD :

Respondent :

CASE NO. P-0745

DECISION NO. 88-52

Representing Rollinsford Police Association:

David Cobban, Patrolman
Bob Ducharme, Sergeant
Terry Trigge, Patrolman

Representing Town of Rollinsford:

Edmund F. Jansen, Jr., Selectman
Thomas G. Mansfield, Sr., Selectman

BACKGROUND

On February 9, 1988, the Rollinsford Police Association petitioned for certification of a bargaining unit under 273-A:8 consisting of full-time and (permanent) part-time employees of the Rollinsford Police Department, with the only exclusions, the Chief and the Lieutenant.

The Town of Rollinsford (Town) agreed to the formation of the unit by signature of one member of the Board of Selectmen on March 10, 1988. Subsequent to the signing of the petition, the signatory member of the Board of Selectmen advised the Board (PELRB) that a misunderstanding had occurred at the time of the signing and that the Town believed the Association did not meet the minimum requirement by law, minimum of ten (10) employees as a majority of the officers in the proposed unit were part-time special officers who did not have a "permanent assigned work schedule"

Hearing in this matter was held in the Board's office on June 16, 1988.

At the opening of the hearing the parties agreed to remove from the petition the selectman's signature as agreeing to the formation of the unit due to the misunderstanding as to the purpose of the document presented.

David Cobban for the Association detailed the duties of the police officers, both full-time and part-time, stating that the department relied on the part-time officers to staff the Department on weekends in addition to regularly scheduling them to work between 8 and 32 hours a month, plus court time. The part-time officers have to meet the police training standards and all have attended the Training Academy and are weapon qualified. The policy of the Department is that part-time officers must work a minimum of 8 hours per month and the part-time officers work on a seniority system for all weekend shifts. There are 4 shifts per week that must be filled by part-timers.

Selectman Jansen testified that the original petition was improperly signed and that the full Board of Selectmen at that time had not reviewed the matter. The Town objected to the formation of the unit because it was of the opinion that the part-time officers were exempt under 273-A:1 IX (d) as employed irregularly or on an on-call basis thus precluding the unit from meeting the requirements under RSA 273-A:8 (d).

The Police Department's schedules of week and weekend assignments were discussed in detail.

Sargeant Robert Ducharme testified as to the scheduling of part-time officers for weekend duty and stated that generally all weekend duty from Friday night on until Monday, was handled by the part-time officers as the regular staff of officers was not sufficient to handle a twenty-four (24) hour schedule. Testimony further revealed that twenty-four (24) hour coverage generally existed in the Department.

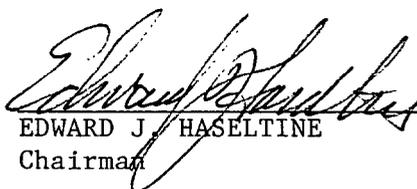
Cobban testified that he had tentative discussions with the three members of the Board of Selectmen in January of 1988 regarding the possibility of an informal organization of the police department but had not received answer to their specific proposals.

DECISION AND ORDER

After considering the testimony at the hearing the board finds that the petition meets the requirements under RSA 273-A:8 and a unit, composed of all full-time and part-time police officers employed by the Town of Rollinsford, is HEREBY approved.

An election will be held as expeditiously as possible under RSA 273-A:10 and PELRB Rules and Regulations, Pub. 301.02.

Dated this 7th day of July, 1988.


EDWARD J. HASELTINE
Chairman

By unanimous vote: Chairman Edward J. Haseltine presiding. Members Seymour Osman and James C. Anderson present and voting. Also present, Executive Director, Evelyn C. LeBrun.